

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2019-224-E

In the Matter of:)

South Carolina Energy Freedom Act)
 (House Bill 3659) Proceeding Related to)
 S.C. Code Ann. Section 58-37-40 and)
 Integrated Resource Plans for Duke)
 Energy Carolinas, LLC)

MOTION FOR ADMISSION
PRO HAC VICE

Duke Energy Carolinas, LLC, by and through undersigned counsel, respectfully moves the Public Service Commission of South Carolina (the “Commission”) to permit Edward Brett Breitschwerdt to practice *pro hac vice* before the Commission in the above-referenced matter. Pursuant to Rule 404 of the South Carolina Appellate Court Rules, Mr. Breitschwerdt has simultaneously filed a Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court Office of Bar Admissions. A copy of his Application, as filed with the Supreme Court, is attached.

Respectfully submitted, this the 12th day of March 2021.



Rebecca J. Dulin
 Associate General Counsel
 Duke Energy Carolinas, LLC
 1201 Main Street, Suite 1180
 Capital Center Building
 Columbia, South Carolina 29201
 Phone: (903) 988-7130
 Email: rebecca.dulin@duke-energy.com

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to S.C. Code Ann. Section 58-37-40 and Integrated Resource Plans for Duke Energy Carolinas, LLC	2019-224-E	Public Service Commission of South Carolina
Plaintiff	Case No.	Tribunal

vs.

	Mailing Address of Tribunal: <div style="border-bottom: 1px solid black; padding: 2px;">101 Executive Center Drive</div> <div style="border-bottom: 1px solid black; padding: 2px;">Suite 100</div> <div style="border-bottom: 1px solid black; padding: 2px;">Columbia, SC 29210</div>
Defendant	

Comes now E. Brett Breitschwerdt, applicant herein, and respectfully represents the following:

1. Applicant resides at:

1531 Caswell Street			
Raleigh	Wake	NC	27603
City	County	State	Zip Code
(919) 755-6563			
Telephone			

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) McGuireWoods LLP, with offices at

501 Fayetteville Street, Suite 500			
Raleigh	Wake	NC	27601
City	County	State	Zip Code
(919) 755-6563	(828) 279-8726	(919) 755-6579	bbreitschwerdt@mcguirewoods.com
Primary Telephone	Cell Phone	Fax Number	Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by Duke Energy Carolinas, LLC to provide legal representation in connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since March of 2010, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of North Carolina where applicant regularly practices law. Attached is a certificate of good standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
Supreme Court of North Carolina	04/29/2010
Supreme Court of Ohio	11/05/2007

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

Affirmed

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

Affirmed

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

Affirmed

9. Local counsel of record associated with applicant in this case is Rebecca J. Dulin
of the Duke Energy Corporation (not a law firm) law firm, which has offices at:

<u>1201 Main Street, Suite 1180</u>			
<u>Street Address</u>	<u>Richland</u>	<u>SC</u>	<u>29201</u>
<u>Columbia</u>	<u>County</u>	<u>State</u>	<u>Zip Code</u>
<u>(803) 988-7130</u>	<u>(803) 240-0801</u>	<u>(803) 988-7123</u>	<u>rebecca.dulin@duke-energy.com</u>
<u>Primary Telephone</u>	<u>Cell Phone</u>	<u>Fax Number</u>	<u>Email Address</u>
<u>79934</u>			
<u>South Carolina Bar Number</u>			

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

(1)
Name/Address of Tribunal: SC Public Service Commission, 101 Executive Center Dr., Ste 100, Columbia, South Carolina 29210

Case Name: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Carolinas, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A)

Case No.: 2019-185-E

Application Filed: 8/19/2019

Status: Proceeding Remains Open

Local Counsel of Record: Rebecca Dulin

Application Granted: 8/28/2019

(2)

Name/Address of Tribunal: SC Public Service Commission, 101 Executive Center Dr., Ste 100, Columbia, South Carolina 29210

Case Name: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Progress, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A)

Case No.: 2019-186-E

Application Filed: 8/19/2019

Status: Proceeding Remains Open

Local Counsel of Record: Rebecca Dulin

Application Granted: 8/28/2019

(3)

Name/Address of Tribunal: SC Public Service Commission, 101 Executive Center Dr., Ste 100, Columbia, South Carolina 29210

Case Name: Proceeding for Approval of the Public Utility Regulatory Policies Act of 1978 (PURPA) Avoided cost Rates for Electric Companies

Case No.: 1995-1192-E

Application Filed: 11/30/2018

Status: Proceeding Remains Open

Local Counsel of Record: Rebecca Dulin

Application Granted: 12/19/2018

(4)

Name/Address of Tribunal: SC Public Service Commission, 101 Executive Center Dr., Ste 100, Columbia, South Carolina 29210

Case Name: Joint application of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC and South Carolina Electric and Gas Company for Approval of the Revised South Carolina Interconnection Standard

Case No.: 2015-362-E

Application Filed: 10/14/2015

Status: Proceeding Remains Open

Local Counsel of Record: Charles A. Castle

Application Granted: 11/4/2015

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

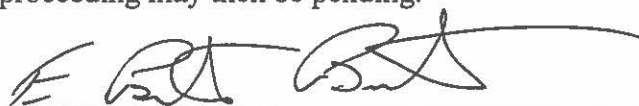
DATED this 4th day of March, 20 21



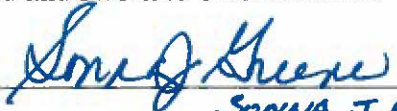
APPLICANT

VERIFICATIONSTATE OF North Carolina)COUNTY OF Wake)

I, E. Brett Breitschwerdt, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.



APPLICANT/AFFIANT

Subscribed and sworn to before me this 4th day of March, 20 21


SONNA J. GREENE

Notary Public for the State of North Carolina

My Commission Expires: _____

SONNA J. GREENE
NOTARY PUBLIC
WAKE COUNTY, N.C.

LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 8th day of March, 20 21

 LOCAL COUNSEL OF RECORD
CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 4th day of March, 20 21



APPLICANT/AFFIANT

The North Carolina State Bar

I, Alice Neece Mine, Secretary of the North Carolina State Bar,

do hereby certify that

Mr. Edward Breitschwerdt (Bar # 40667)

was licensed to practice law by the State of North Carolina on March 27, 2010.

Said lawyer is presently an active member of the North Carolina State Bar and is eligible to practice law in North Carolina.

Said lawyer is not subject to a pending order of administrative or disciplinary suspension.

Said lawyer's financial account with the State Bar is current.

Therefore, said lawyer is in good standing with the North Carolina State Bar.

Given over my hand and the Seal of the North Carolina State Bar,
this the 1st day of March, 2021.



Alice Neece Mine
Secretary of the North Carolina State Bar